

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CITY OF
TULSA, OKLAHOMA,**

scheduled for Wednesday, September 25, 2024, at 5:00 P.M in the City Council Chamber, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK, to transact all business as set out in Notice and Agenda posted in the Office of City Clerk, Room 260, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK on Friday, September 20, 2024, at 4:52 P.M.

An addendum was posted on Tuesday, September 24, 2024, at 9:45 A.M.

CALL TO ORDER

Chair Cue called the meeting to order at 5:09 P.M.

ROLL CALL:

Hall-Harper	Absent	Bengel	Present
Cue	Present	Decter Wright	Present
Patrick	Absent	Lakin	Present
Bellis	Present	Fowler	Present
Miller	Absent		
	Present:	6	
	Absent:	3	

Councilor Miller arrived at 5:18 P.M.

STAFF PRESENT

Jack Blair, City Attorney
Lori Doring, Secretary to the Council
Brandon Worley, Council Staff

1. RECEIPT & FILING OF MINUTES

- a. Minutes of Regular Meeting held at 4:00 PM on September 11, 2024.
[CC 9/25/24] 24-925-1
- b. Minutes of Regular Meeting held at 5:00 PM on September 11, 2024.
[CC 9/25/24] 24-925-2

Councilor Decter Wright moved to approve 1.a – 1.b. Councilor Bengel seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Absent	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Absent		
Yeas: 6	Nays: 0	Absent: 3	Abstentions: 0

Motion carried.

2. APPOINTMENTS & REAPPOINTMENTS

- a. No items this week.

3. PUBLIC HEARINGS

- a. Public Hearing to receive written and oral comments regarding the City of Tulsa's draft application for the FY 2024 Pathways to Removing Obstacles to Housing (PRO Housing) Grant from the U.S. Department of Housing and Urban Development (HUD). [CC 9/25/24] 24-951-1

Councilor Decter Wright moved to enter Public Hearing on 3.a. Councilor Bengel seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Absent	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Absent		

Yeas: 6 Nays: 0 Absent: 3 Abstentions: 0

Motion carried.

Council entered Public Hearing on 3.a at 5:10 P.M.

Public Comments:
Travis Hulse – 3.a.
James Alexander, Jr. – 3.a.
Bernice Alexander – 3.a.

Without objection, Council exited Public Hearing on 3.a at 5:23 P.M.

4. MAYOR’S ITEMS

- a. Mayor's report on community events, briefing on City activities, City efforts, and new business.

There was no report.

- b. Consideration and possible approval, adoption, denial, amendment or revision of a Resolution authorizing payment of one hundred ninety-one thousand, nine hundred seventy-two dollars and fifty-two cents (\$191,972.52) to Tulsa Tourism District No. 1 Company, LLC, Plaintiffs, Hall, Estill, Hardwick, Gable, Golden, and Nelson, PC, Attorneys at Law from the Sinking Fund as a payment of a judgment and attorney fee award in Case No. CJ-2024-3143, Tulsa Tourism District No. 1 Company, LLC v. City of Tulsa et al. **(Emergency Clause)** [PW 9/25/24; CC 9/25/24] 24-922-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of Change Order No. 1 to Contract No. 136386 between the City of Tulsa and Lowry Construction Services, Inc. for Project No. SP 19-13R in the amount of one hundred seventeen thousand, one hundred eleven dollars and seventy-three cents (\$117,111.73) and adding sixty (60) calendar days due to the need to fix damaged roof drain piping in Building 6 of Air Force Plant 3 at 2300 N. 85th E. Ave. (CD-3) [PW 9/18/24; CC 9/25/24] 24-897-2
- d. Consideration and possible approval, adoption, denial, amendment or revision of a License Agreement between the City of Tulsa and Sidney V. Rice and Christa A. Rice Revocable Living Trust, for property located 2.5 miles east of Highway 59 and County Road 458 (north side), (Delaware County) requesting an access road limited to passenger vehicles through City of Tulsa watershed northeast of Lake Eucha. [PW 9/18/24; CC 9/25/24] 24-903-2

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- e. Consideration and possible approval, adoption, denial, amendment or revision of a Resolution authorizing Condemnation of property owned by Chris Lancaster located at 8479 County Road 445, Jay, Oklahoma (Delaware County), an existing public necessity requires the acquisition as part of the Source Water Protection and Management Program, for the preservation, protection, and maintenance of the City of Tulsa's water supply. [PW 9/18/24; CC 9/25/24] 24-904-2
 - f. Consideration and possible approval, adoption, denial, amendment or revision of a travel donation from U.S. Homeland Security in the amount of one thousand dollars (\$1,000.00) for Captain Matt Phippin to travel to Ft. Lauderdale, FL on November 11-14, 2024, to attend the Hazardous Materials Instructor and Commanders Conference. [CC 9/25/24] 24-912-1
 - g. Consideration and possible approval, adoption, denial, amendment or revision of a Utility Easement Donation by Melgranita Marie Wilson, of property located at 3220 N. Norfolk Ave., Wilshire Addition, required for improvements to and expansion of an existing residential subdivision. (CD-1) [CC 9/25/24] 24-915-1
 - h. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: October 2024 Guthrie Green Events scheduled for October 2-30, 2024, at 111 E. Reconciliation Way. (CD-1) [CC 9/25/24] 24-929-1
 - i. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Tulsa Farmers' Market scheduled for October 5, 12, 19, 26, 2024, at 1 S. Lewis Ave. (CD-4) [CC 9/25/24] 24-930-1
 - j. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Downtown Farmers' Market scheduled for October 2, 9, 16, 23, 30, 2024, at Chapman Green, 600 S. Main St. (CD-4) [CC 9/25/24] 24-931-1
 - k. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: University of Tulsa Football Games scheduled for October 5 and 26, 2024, at 800 S. Harvard Ave. (CD-4) [CC 9/25/24] 24-932-1
 - l. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: BOK Center October 2024 Events scheduled for October 1-31, 2024, at 300 S. Denver Ave. (CD-1,4) [CC 9/25/24] 24-933-1
 - m. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Parish of Christ the King Picnic scheduled for October 6, 2024, at 1600 S. Rockford Ave. (CD-4) [CC 9/25/24] 24-934-1
 - n. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Yom Kippur Services scheduled for October 12, 2024, at 1700 S. Peoria Ave. (CD-4) [CC 9/25/24] 24-943-1
 - o. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Monte Cassino Octoberfest Fun Run scheduled for October 11, 2024, starting at 2100 S. Yorktown Ave. (CD-4) [CC 9/25/24] 24-944-1
 - p. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Native American Day Parade scheduled for October 14, 2024, starting at 1800 S. Boulder Park Dr. (CD-4) [CC 9/25/24] 24-945-1
 - q. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Jelly Roll Street Party scheduled for October 18, 2024, at 300 S. Denver Ave. (CD-1,4) [CC 9/25/24] 24-946-1

- r.

Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Welltown Brewing Oktoberfest scheduled for October 11-12, 2024, at 100 N. Cheyenne Ave. (CD-1) [CC 9/25/24] 24-947-1
- s.

ADDENDUM: Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Tulsa Pride Events 2024 scheduled for October 12-13, 2024, starting at 621 E. 4th St., Dennis R. Neill Equality Center. (CD-4) [CC 9/25/24]
- t.

ADDENDUM: Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: ONEOK Field October Events scheduled for October 5-26, 2024, at 201 N. Elgin Ave. (CD-1) [CC 9/25/24]

Public Comments:
John Huffines – 4.h, 4.m, 4.n, 4.o.

Councilor Decter Wright moved to approve 4.b – 4.t with the emergency clause on 4.b. Councilor Bengel seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Absent	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 7 Nays: 0 Absent: 2 Abstentions: 0			

Motion carried.

5. AUTHORITIES, BOARDS & COMMISSIONS

5.f was read and voted on separately.

- a.

Consideration and possible approval, adoption, denial, amendment or revision of Resolution No. 2919:1057 of the Tulsa Metropolitan Area Planning Commission, pursuant to Title 19, Oklahoma Statutes, Section 863.7; amending the Tulsa Comprehensive Plan by adopting an amendment (CPA-111) changing the land use designation from "Neighborhood" to "Local Center" on approximately ±1.81 acres located north of the NW/c of E. 101st St. S. and S. Garnett Rd. requested by Priscila Jelsing. (Property owner: Priscila Jelsing) (CD-7) (TMAPC voted 9-0-0 to adopt the "Local Center" land use designation and recommend City Council **APPROVE** Resolution No. 2919:1057.) *(NOTE: In accordance with Title 19 Oklahoma Statutes, Section 863.7, the City Council must act on this item within 45 days of receipt. If no action is taken, the amendment will be officially approved.)* [UED 9/18/24; CC 9/25/24] 24-909-2
- b.

Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application Z-7778 from CH, RM-2, RS-3, and RDO-3 to CH and RDO-3 for property located east of the intersection of Southwest Blvd. and Riverside Dr. requested by the City of Tulsa. (Property owner: City of Tulsa) (CD-4) (TMAPC voted 8-0-0 to recommend **APPROVAL** of CH and RDO-3 zoning.) [UED 9/18/24; CC 9/25/24; CC 10/16/24] 24-894-2
- c.

Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application Z-7782 from RS-3 to CS with an Optional Development Plan for property located north of the NW/c of E. 11th St. S. and S. 123rd E. Ave. requested by Miguel Gomora. (Property owner: Miguel Gomora) (CD-3) (TMAPC voted 8-0-1 to recommend **APPROVAL** of CS zoning with an Optional Development Plan.) [UED 9/18/24; CC 9/25/24; CC 10/16/24] 24-895-2

- d. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application Z-7783 from RS-3 and CS to IL for property located north and west of the NW/c of N. Lewis Ave. and E. Ute St. requested by Lou Reynolds. (Property owner: Interstate Steel & Metals) (CD-1) (TMAPC voted 9-0-0 to recommend **APPROVAL** of IL zoning.) [UED 9/18/24; CC 9/25/24; CC 10/16/24] 24-896-2
- e. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application Z-7780 from AG to OL for property located north of the NW/c of E. 101st St. S. and S. Garnett Rd. requested by Priscila Jelsing. (Property owner: Priscila Jelsing) (CD-7) (TMAPC voted 9-0-0 to recommend **APPROVAL** of OL zoning.) [UED 9/18/24; CC 9/25/24; CC 10/16/24] 24-910-2

Councilor Decter Wright moved to approve 5.a – 5.e. Councilor Bengel seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Absent	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 7 Nays: 0 Absent: 2 Abstentions: 0

Motion carried.

- f. Consideration and possible approval or denial of the Reconsideration of the continuance to December 11, 2024, and possible vote to reschedule Rezoning Application Z-7759 from RS-2 to RS-4 with an Optional Development Plan for property located at the NE/c of E. 36th St. S. and S. Braden Ave. requested by Select Design. (Property owner: Highland Acres, LLC) (CD-5) (TMAPC voted 6-2-0 to recommend **APPROVAL** of RS-4 zoning with an Optional Development Plan.) (Bellis) (*Note: The Council voted to continue the proposed application to December 11, 2024, at the September 18, 2024, Regular City Council meeting.*) [CC 9/25/24] 24-952-2

Councilor Bellis moved to reconsider the continuance of Rezoning Application Z-7759 to December 11, 2024, and instead, continue this item to the 5:00 P.M. City Council meeting on Wednesday, October 30, 2024. Councilor Bengel seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Absent	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 7 Nays: 0 Absent: 2 Abstentions: 0

Motion carried.

6. ORDINANCES - FIRST READING

- a. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2024-2025 budget to make supplemental appropriations of five hundred thirty-eight thousand, eight dollars and sixty-four cents (\$538,008.64) recognized from unappropriated fund balance within the

Public Works Non-Federal Grants SubFund. (TU - Gilcrease Donation Interest) [UED 9/25/24; CC 9/25/24; CC 10/16/24] 24-916-2

- b. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2024-2025 budget to make supplemental appropriations of fifty thousand, nine hundred sixty dollars (\$50,960.00) from grant revenues to be received from the District Attorney's Council within Victims of Crime Act SubFund. (Victims of Crime Act Grant Award) [UED 9/25/24; CC 9/25/24; CC 10/16/24] 24-917-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2024-2025 budget to reduce unencumbered and unexpended appropriation balance of two hundred sixty-six thousand, seven hundred forty-one dollars and eighty-one cents (\$266,741.81) within the OWRB 2011A Promissory Note SubFund; to reduce unencumbered and unexpended appropriation balance of twenty-four thousand, three hundred forty-six dollars and seventy-three cents (\$24,346.73) within the OWRB 2014A Promissory Note SubFund; to reduce unencumbered and unexpended appropriation balance of one hundred thirty-eight dollars and ninety-eight cents (\$138.98) within the OWRB 2010A Promissory Note SubFund. (Projects are complete and funds are closed.) [UED 9/25/24; CC 9/25/24; CC 10/16/24] 24-918-2
- d. **PULLED:** Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2024-2025 budget to make supplemental appropriations of four million, six hundred thousand dollars (\$4,600,000.00) from grant revenues received from the United States Treasury American Rescue Plan Act SubFund. (Residential Care Center) [UED 9/25/24; CC 9/25/24; CC 10/16/24] 24-919-2
- e. **PULLED:** Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2024-2025 budget to make supplemental appropriations of two million, eight hundred twenty-six thousand, seven hundred dollars (\$2,826,700.00) from revenues received within the Walmart Opioid Settlement SubFund. (Residential Care Center) [UED 9/25/24; CC 9/25/24; CC 10/16/24] 24-920-2
- f. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Title 35, Tulsa Revised Ordinances, titled "Infrastructure Development", Chapter 6, "Familiar Rights of Way Activities", Section 602, "Required Sidewalk and Fee-in-Lieu Option", Subsection J, "Determination of Sidewalk Fees", providing an operative date of November 1, 2024. (**Emergency Clause**) [PW 9/25/24; CC 9/25/24; CC 10/16/24] 24-921-2

Without objection, items 6.a – 6.f, except 6.d and 6.e, were forwarded to the next Council meeting.

7. ORDINANCES - SECOND READING

- a. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Ordinance Z-7781 from CH and MX3-U-U to CH with an Optional Development Plan for multiple lots located north and east of the NE/c of E. 42nd St. S. and S. Peoria Ave. requested by Michael Joyce. (Property owner: Nordic, LLC) (CD-9) (TMAPC voted 7-1-0 to recommend **APPROVAL** of CH zoning with an Optional Development Plan.) [UED 9/11/24; CC 9/18/24; CC 9/25/24] 24-864-3
- b. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2024-2025 budget to make supplemental appropriations of five thousand dollars (\$5,000.00) from grant revenues to be received from the George Kaiser Family Foundation within the Social Eco Development Non-Federal Grant Programs SubFund. (Mayor's Office of

Resilience and Equity staff training and development) [UED 9/18/24; CC 9/18/24; CC 9/25/24] 24-898-2

- c. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2024-2025 budget to transfer unencumbered and unexpended fund balance of thirty thousand dollars (\$30,000.00) between departments and account groups within the JAG Reimbursement Grants SubFund. (National Public Safety Partnership Grant) [UED 9/18/24; CC 9/18/24; CC 9/25/24] 24-899-2
- d. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2024-2025 budget to make supplemental appropriations of twenty-three thousand, four hundred ninety-nine dollars (\$23,499.00) recognized from revenues to be received within the General Fund. (Downtown Tulsa Partnership Insurance Reimbursement) [UED 9/18/24; CC 9/18/24; CC 9/25/24] 24-900-2
- e. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2024-2025 budget to make supplemental appropriations of two hundred sixty-five thousand, four hundred ten dollars (\$265,410.00) recognized from unappropriated fund balance within the Stormwater Enterprise Fund. (Public Works Operating Capital Reappropriations) [UED 9/18/24; CC 9/18/24; CC 9/25/24] 24-901-2
- f. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance closing a portion of a Sanitary Sewer Easement, requested by Jaime Skipper for property located at 266 E. Independence St., for future development. (CD-1) [PW 9/18/24; CC 9/18/24; CC 9/25/24] 24-902-2

Councilor Decter Wright moved to approve 7.a – 7.f. Councilor Bengel seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Absent	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 7 Nays: 0 Absent: 2 Abstentions: 0

Motion carried.

8. COUNCIL ITEMS

- a. Councilors’ announcements and reports on current community events, activities, efforts, and concerns. Other than announcements and reports, no discussion will ensue.

Councilor Bellis announced that there would be a Charles Page neighborhood meeting on September 26, 2024. Councilor Bengel announced that there would be a District 6 Town Hall meeting on October 15, 2024.

Public Comments:
Bernice Alexander – 8.a. (yielded time)

- b. Consideration and possible vote for approval, adoption, denial, amendment, or revision of a proposed District 2 – 2021 Capital Improvements Sales Tax Community Development Priority Project, Concept Plan No. 3, Historic Route 66 Village Bells Station, continuing the Route 66 Village Master Plan and building on the success of the previous work done, creating a more cohesive and engaging

environment for visitors, in the amount of one hundred thousand dollars (\$100,000.00). (Cue) [UED 9/25/24; CC 9/25/24] 24-949-2

- c. Consideration and possible vote for approval, adoption, denial, amendment, or revision of a proposed District 2 – 2021 Capital Improvements Sales Tax Community Development Priority Project, Concept Plan No. 4, Historic Route 66 Village Improvements, including a replica Bell Station Neon sign, upgrades and improvements within the Red Fork Train Depot and Phillips Cottage Gas Station, landscaping, and streetscaping, in the amount of five hundred fifty thousand dollars (\$550,000.00). (Cue) [UED 9/25/24; CC 9/25/24] 24-948-2

Councilor Decter Wright moved to approve 8.b – 8.c. Councilor Bellis seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Absent	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 7 Nays: 0 Absent: 2 Abstentions: 0

Motion carried.

9. NEW BUSINESS

- a. No items this week.

10. HEARING OF APPEALS

- a. Hearing and possible action upholding or denying an appeal to the City Council requested by JE Taylor, White Dove Investment Corporation contesting the decision of the Nuisance Abatement Hearing Officer in Code Enforcement Case No. NUZO-086166-2024, finding that the property located at 5310 S. Peoria Ave., Tulsa, Oklahoma is a public nuisance and ordering its abatement. The City Council may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made. (CD-9) [CC 6/26/24; 9/25/24] 24-942-1

Brant Pitchford and Devin Lucas from Code Enforcement addressed the Council.

JE Taylor, the appellant, addressed the Council.

Keri Fothergill, City of Tulsa Citizen Services Advocate, addressed the Council.

There was Council discussion.

Councilor Cue left the meeting at 5:42 P.M. and returned at 5:43 P.M.

Councilor Bengel proposed a friendly amendment that the fence and all other items not in the purview of the Board of Adjustment be fixed prior to this item returning to the City Council. Councilor Miller seconded the amendment.

Councilor Fowler moved to continue 10.a to the 5:00 P.M. City Council meeting on Wednesday, October 30, 2024, in the City Council Chamber. Councilor Miller seconded the motion.

ROLL CALL:

Hall-Harper	Absent	Bengel	Yea
Cue	Yea	Decter Wright	Nay
Patrick	Absent	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 6	Nays: 1	Absent: 2	Abstentions: 0

Motion carried.

11. HEARING OF PUBLIC COMMENTS

- a. Lisa Robertson – Concerns regarding a Notice of Container Violation from the City of Tulsa. [CC 9/25/24] 24-928-1

Lisa Robertson withdrew her public comment.
- b. Steven Melendez – Concerns regarding people posing as police officers when doing community work. [CC 9/18/24; CC 9/25/24] 24-893-2

Steven Melendez addressed the Council.

12. ADJOURNMENT

- a. Adjournment.

Chair Cue adjourned the meeting at 6:35 P.M.

Jeannie Cue, Chair of the Council

Lori Doring, Secretary to the Council